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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,383	03/12/2004	Paul C. Hollingshead	091-0212 (02-0434)	8849

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EXAMINER	
LEE, DOUGLAS S	

ART UNIT	PAPER NUMBER
2125	

DATE MAILED: 07/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/800,383	HOLLINGSHEAD ET AL.	
	Examiner	Art Unit	
	Douglas S. Lee	2125	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-47 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-47 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 3/12/2004.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-47 are rejected under 35 U.S.C. 102(e) as being anticipated by Wilson (US Pat. # 6,978,220).

Regarding claim 1-7, Wilson discloses a machine-readable medium for programming a computer to determine feature relating tolerance consumed for a plurality of manufactured features on an object, said medium comprising processor executable instructions for determining a true position for each of said plurality of manufactured features; determining a location for each of said plurality of manufactured features; organizing each of said true positions into a single association; organizing the location of each of said plurality of manufactured features relative to said single association; determining a circle that intersects or contains each location; determining the diameter of said circle; and comparing the diameter of said circle with said feature relating tolerance to determine acceptability of the pattern (see fig. 10, col.9, lines 23-50 and fig. 14, col. 11, lines 1-43).

Regarding claim 8- 11, Wilson discloses a machine-readable medium for programming a computer to determine feature relating tolerance consumed for a plurality of manufactured holes on an object, said medium comprising processor executable instructions for determining a true position for each of said plurality of manufactured holes; determining a center for each of said plurality of manufactured holes; superimposing each of said true positions to form a one true position; determining the centers of each of said plurality of manufactured holes relative to said one true position; determining a circle that intersects or contains each of said centers; determining the diameter of said circle; determining feature relating tolerance consumed from said diameter (see fig. 10, col.9, lines 23-50 and fig. 14, col. 11, lines 1-43).

Regarding claims 12-15, Wilson discloses a machine-readable medium for programming a computer to determine feature relating tolerance consumed for a plurality of manufactured features on an object where at least one additional feature is added to a pattern of features, said medium comprising processor executable instructions for determining a true position for each of said plurality of manufactured features; determining a location for each of said plurality of manufactured features; organizing each of said true positions into a single association; organizing the location of each of said plurality of manufactured features relative to said single association; determining a first circle that intersects or contains each location; determining the location of said additional feature; determining if the location of said additional feature is contained within

said first circle; determining a second circle that intersects or contains said plurality of manufactured features and said additional feature, if said additional feature is not contained with said first circle; determining the diameter of said second circle; and comparing the diameter of said second circle with said feature relating tolerance to determine acceptability of the pattern (see fig. 10, col.9, lines 23-50 and fig. 14, col. 11, lines 1-43).

Regarding claims 16-23, Wilson discloses a machine-readable medium for programming a computer to determine used feature relating tolerance consumed for a plurality of manufactured features on an object, said medium comprising processor executable instructions for determining a true position for each of said plurality of manufactured features; determining a center for each of said plurality of manufactured features; organizing each of said true positions into a one true position; organizing the center of each of said plurality of manufactured features relative to said one true position; determining a departure circle about each of said centers; and determining a circle that is tangent to or contains each of said departure circles (see fig. 10, col.9, lines 23-50 and fig. 14, col. 11, lines 1-43).

Regarding claims 24-28, Wilson discloses a machine-readable medium for programming a computer to determine whether a pattern of features violates a pattern locating tolerance for a plurality of manufactured features on an object, said medium comprising processor executable instructions for determining a true position for each of said plurality of manufactured features; determining a center for each of said plurality of manufactured features; organizing each of said true

positions into a one true position; organizing the center of each of said plurality of manufactured features relative to said one true position; determining a departure circle about each of said centers; and determining where said departure circles lie relative to a pattern locating tolerance circle (see fig. 10, col.9, lines 23-50 and fig. 14, col. 11, lines 1-43).

Regarding claims 29-34, Wilson discloses a system in a manufacturing site, said system comprising a computer and a coordinate measuring machine adapted to determine whether a pattern of manufactured features violate a pattern locating tolerance, and adapted to determine feature relating tolerance consumed for said pattern of features, said system adapted to perform the steps of determining a true position for each of said plurality of manufactured features; determining a center for each of said plurality of manufactured features; organizing each of said true positions into a one true position; organizing the center of each of said plurality of manufactured features relative to said one true position; determining a departure circle about each of said centers; determining if any of said departure circles lies outside a pattern locating tolerance circle to determine if said pattern locating tolerance is violated; determining a circle that contains each of said departure circles; and comparing a diameter of said circle to said feature relating tolerance to determine acceptability of the pattern (see fig. 10, col.9, lines 23-50 and fig. 14, col. 11, lines 1-43).

Regarding claims 35-47, these method claims are rejected for the same reasons applied above rejected claims 1-34.

Conclusion

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Douglas Lee, whose telephone number is (571) 272-3745. The examiner can normally be reached on Monday-Friday from 8:00AM- 4:30PM.
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Leo Picard*, can be reached on *(571) 272-3749 or via e-mail addressed to [leo.picard@uspto.gov]*. The fax number for this Group is (571) 273-8300.
Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to **[doug.lee@uspto.gov]**.
All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Douglas Lee

7/19/2006

7/20/06
ZOILA CABRERA
Primary Examiner 2125